

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 3:24-CR-64-KAC-JEM
AARON FOMBY, JAMES MAPLES,)	
ERNEST MOUNT, JEREMY OGLESBY,)	
KY'ASIA RODGERS, and)	
RAYNARD TURNER,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant James Maples's Motion to Continue Trial Setting and All Corresponding Deadlines [Doc. 51], filed on July 26, 2024, as well as Codefendant Ernest Mount's [Doc. 52] and Codefendant Raynard Turner's [Doc. 53] motions to adopt the motion to continue, both filed on July 29, 2024.

Defendant Maples asks the Court to continue the trial date and all related deadlines [Doc. 51]. In support of his motion, Defendant asserts that he made his initial appearance and was appointed counsel on June 27, 2024. He states that defense counsel requires additional time to review discovery and that preparation in this case will require additional time because of Defendant's health conditions and treatment. Defendant's motion reflects that counsel for the Government and all codefendants do not oppose.

Codefendant Mount seeks to join in Defendant Maples's motion to continue [Doc. 52]. In support of his motion, Codefendant Mount asserts that this is a drug conspiracy case with

voluminous discovery. Accordingly, Codefendant Mount states that his counsel requires additional time to review discovery, consult with him, and discuss Defendant's options. Similarly, Codefendant Turner seeks to join in the motion [Doc. 53]. Codefendant Turner asserts that he is similarly situated as Defendant Maples and that he understands that further investigation and discovery review are necessary, necessitating the request to continue the currently set deadlines in this matter.

Defense counsel confirmed with Chambers via email that Defendants Aaron Fomby, James Maples, Ernest Mount, Jeremy Oglesby, Ky'asia Rodgers, and Raynard Turner understand their right to a speedy trial and agree to the requested continuance.

Based upon the parties' positions and because the Government does not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that not granting a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Counsel for Defendants Maples, Mount, and Turner need additional time to review discovery and otherwise prepare for trial. The Court finds that all of this cannot occur before the September 3, 2024 trial date.

The Court therefore **GRANTS** Defendant James Maples's Motion to Continue Trial Setting and All Corresponding Deadlines [**Doc. 51**], and Codefendant Ernest Mount's [**Doc. 52**] and Codefendant Raynard Turner's [**Doc. 53**] motions to adopt the motion to continue. The trial of this case is reset to **January 14, 2025**. A new, comprehensive, trial schedule is included below.

Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial, all of the time between the filing of the initial motion on July 26, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

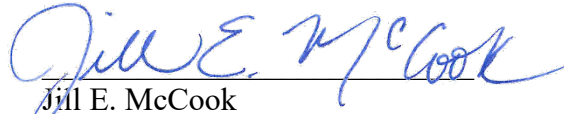
Accordingly, it is **ORDERED** as follows:

- (1) Defendant James Maples’s Motion to Continue Trial Setting and All Corresponding Deadlines [**Doc. 51**] is **GRANTED**;
- (2) Defendant Ernest Mount’s Motion to Join Motion to Continue Plea and Other Deadlines [**Doc. 52**] is **GRANTED**;
- (3) Defendant Raynard Turner’s Motion to Adopt Co-Defendant’s Motion to Continue [**Doc. 53**] is **GRANTED**;
- (4) the trial of this matter is reset to commence on **January 14, 2025, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;
- (5) all time between the filing of the motion on **July 26, 2024**, and the new trial date of **January 14, 2025**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (6) the deadline for filing pretrial motions is extended to **August 29, 2024**, and responses to motions are due on or before **September 12, 2024**;
- (7) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **December 13, 2024**;
- (8) the deadline for filing motions *in limine* is **December 30, 2024**;
- (9) the parties are to appear before the undersigned for a final pretrial conference on **January 3, 2025, at 10:30 a.m.**; and

(10) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **January 7, 2025**.

IT IS SO ORDERED.

ENTER:



Jill E. McCook
United States Magistrate Judge